

By: Whitmire

S.B. No. 1722

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of a firefighter or a peace officer for workers' compensation benefits for post-traumatic stress disorder.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 504, Labor Code, is amended by adding Section 504.019 to read as follows:

Sec. 504.019. COVERAGE FOR POST-TRAUMATIC STRESS DISORDER FOR CERTAIN FIREFIGHTERS AND PEACE OFFICERS. (a) In this section:

(1) "Firefighter" means an individual employed by a political subdivision of this state who is a firefighter subject to certification by the Texas Commission on Fire Protection under Chapter 419, Government Code, whose principal duties are firefighting and aircraft crash and rescue.

(2) "Peace officer" means a person elected, employed, or appointed as a peace officer under Article 2.12, Code of Criminal Procedure, or other law.

(3) "Post-traumatic stress disorder" means a disorder that:

(A) meets the diagnostic criteria for post-traumatic stress disorder specified by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, fifth edition, or a later edition adopted by the commissioner of workers' compensation; and

(B) results in an impairment of a person's

1 functioning in the person's community, employment, family, school,
2 or social group.

3 (b) Post-traumatic stress disorder suffered by a
4 firefighter or peace officer is a compensable injury under this
5 subtitle only if:

6 (1) the disorder is caused by events occurring in the
7 course and scope of the firefighter's or peace officer's
8 employment; and

9 (2) the preponderance of the evidence indicates that
10 the firefighter's or peace officer's work was a substantial
11 contributing factor of the disorder.

12 SECTION 2. The change in law made by this Act applies only
13 to a claim for workers' compensation benefits based on a
14 compensable injury that occurs on or after the effective date of
15 this Act. A claim based on a compensable injury that occurs before
16 that date is governed by the law as it existed on the date the
17 compensable injury occurred, and the former law is continued in
18 effect for that purpose.

19 SECTION 3. This Act takes effect September 1, 2017.